

**THE STATE OF TEXAS**

**COUNTY OF KENDALL**      **BE IT REMEMBERED**, that the Commissioners' Court of Kendall County, Texas, was begun and held at a Regular Meeting at the Courthouse in Boerne, Texas, on the 10th day of March 2014.

**Present:**            **DARREL L. LUX, COUNTY JUDGE**  
                         **MIKE FINCKE, COMMISSIONER, PCT. #1**  
                         **GENE MIERTSCHIN, COMMISSIONER, PCT. #2**  
                         **RICHARD J. CHAPMAN, COMMISSIONER, PCT. #3**  
                         **KENNETH M. RUSCH, COMMISSIONER, PCT. #4**  
                         **SALLY W. PETERS, DEPUTY COUNTY CLERK/ADMINISTRATIVE ASSISTANT**

---

1.      The meeting was called to order at 9:00 a.m. with the Pledges of Allegiance to the United States and Texas flags.

---

2.      **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for February 24, 2014.

Motion was made by Commissioner Miertschin, seconded by Commissioner Chapman, and carried by a vote of 5-0.

---

3.      **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the accounts payable claims (on file).

Motion was made by Commissioner Fincke, seconded by Commissioner Rusch, and carried by a vote of 5-0.

---

4.      Kendall County AgriLife Extension Agents Stephen Zoeller and Jana Osbourn presented the Kendall County youth that received scholarships either through Ag Mechanics or Livestock competitions at the San Antonio Livestock Show: William Abate, Logan Bourgeois, Ashley Bradley, Kenyon Cooper, Rodney Dunham, Ben Herr, Brian Muzny, Will Peters, Zach Pratka, Cory Scheel, Tanner Smith, Bryan Zabava, Colton Zoeller, and Mark Zoeller (Casey Beavers, Kyra Hunter, and Cole Matkin were not present).

---

5.      **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim the week of March 23-29, 2014 as American Cancer Society's Relay For Life Week in Kendall County (attached).

Motion was made by Judge Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

---

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve allowing the Boerne Merchants Association to use the Courthouse grounds for Market Days on June 14-15, 2014 and October 11-12, 2014, with setup no earlier than 5:30 p.m. on the day before each event.

Motion was made by Judge Lux, seconded by Commissioner Chapman, and carried by a vote of 5-0.

---

7. PUBLIC COMMENTS: No one spoke.

---

8. No action was taken on lifting the burn ban. It is still in effect.

---

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim the month of March as American Red Cross Month.

Motion was made by Judge Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

---

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with HTS Voice & Data Systems for information technology (IT) services for Kendall County, pending approval by the County Attorney's Office, and with the modification that the agreement will expire at the end of September 2014 and thereafter be automatically renewed upon the agreement of both parties.

Motion was made by Commissioner Miertschin, seconded by Commissioner Chapman, and carried by a vote of 5-0.

---

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve closing the following streets in Comfort starting at 3:00 p.m. on April 4, 2014 through midnight April 5, 2014 for the annual Fruhlingsfest (German Spring Festival) event: Seventh Street between Highway 27 and Main Street, High Street between Sixth and Eighth Streets, and from the intersection of High Street and Eighth Street to just past 806 High Street.

Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, and carried by a vote of 5-0.

---

12. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to send a letter of permission from the Court for the Texas Alcoholic Beverage Commission (TABC) to allow the Comfort Chamber of Commerce to sell alcohol on Saturday, April 5, 2014 at the Chamber booth on 7th Street, which will be closed to traffic, during the Fruhlingsfest event.

Motion was made by Commissioner Rusch, seconded by Judge Lux, and carried by a vote of 5-0.

---

13. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the abandonment of the portion of Pankratz Road which has not been used by the public and not maintained by the County (Rodney Flach).

Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, and carried by a vote of 5-0.

---

14. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Final Plat of Cordillera Ranch, Unit 301A, consisting of 47.59 acres divided into 35 residential lots, two parks, trail, common area lots, and 4,717 feet of new roadway in accordance with Section 203 of the Kendall County Development Guidelines and Regulations effective January 1, 1997.

Motion was made by Commissioner Chapman, seconded by Commissioner Rusch, and carried by a vote of 5-0.

---

15. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Final Plat of Cordillera Ranch, Unit 301B, consisting of 63.71 acres divided into 31 residential lots, two parks, trail, common area lots, and 2,823 feet of new roadway in accordance with Section 203 of the Kendall County Development Guidelines and Regulations effective January 1, 1997.

Motion was made by Commissioner Chapman, seconded by Commissioner Rusch, and carried by a vote of 5-0.

---

16. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept Letters of Credit for Cordillera Ranch Subdivision, Unit 301A, for the construction of roads and drainage structures in the amount of \$706,696.00 and water distribution lines and sanitary sewers in the amount of \$579,724.00.

Motion was made by Commissioner Chapman, seconded by Commissioner Rusch, and carried by a vote of 5-0.

---

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept Letters of Credit for Cordillera Ranch Subdivision, Unit 301B, for the construction of roads and drainage structures in the amount of \$438,661.00 and water distribution lines and sanitary sewers in the amount of \$276,044.00. Motion was made by Commissioner Chapman, seconded by Commissioner Rusch, and carried by a vote of 5-0.

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Racial Profiling Report for 2013 received from Constable Precinct 3 (attached). Motion was made by Judge Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

At 9:47 a.m. the Court closed Open Session, took a Break, and at 10:00 a.m. went into Executive Session pursuant to Chapter 551 of the Texas Government Code:

- I. Pursuant to Section 551.071 to seek the advice of the County Attorney and/or attorney(s) representing the County, concerning pending and/or threatened litigation, settlement offers and/or matters in which the duties of the attorney(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications. Specific topics to be discussed are:
  1. County authority and obligations concerning subdivisions, County roads and bridges
  2. Guy James Gray vs. Kendall County
- II. Pursuant to Section 551.072 to deliberate the purchase, exchange, lease or value of real property. (Note: Deliberations in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)
  1. Right-of-way / easements for the Herff Road Project
- III. Pursuant to Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee:
  1. Duties and responsibilities of the Parks Department
  2. Duties and responsibilities of the Human Resources Director
  3. Duties and responsibilities of the County Surveyor

At 11:48 a.m. the Court closed Executive Session and at 11:50 a.m. went into Open Session.

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 24th DAY OF March A.D., 2014.

ATTESTED:

  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS